

FORM PTO-1083
MAIL STOP: Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450



Docket No.: 206.1002US
Date: April 12, 2005

IFW

In re application of: Emil CIURCZAK, et al.
Serial No.: 10/766,640
Filed: January 27, 2004
For: **WIRELESS BLOOD GLUCOSE MONITORING SYSTEM**

BEST AVAILABLE COPY

Sir:

Transmitted herewith is an **INFORMATION DISCLOSURE STATEMENT** in the above-identified application.

- ☐ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.
- ☒ No fee for additional claims is required.
- ☐ A filing fee for additional claims calculated as shown below, is required:

| (Col. 1) | | (Col. 2) | | SMALL ENTITY | | OR | LARGE ENTITY | |
|--|-----------|------------|---------|--------------|-----|----|--------------|--------|
| FOR: | REMAINING | HIGHEST | | RATE | FEE | | RATE | FEE |
| | AFTER | PREVIOUSLY | PRESENT | | | | | |
| | AMENDMENT | PAID FOR | EXTRA | | | | | |
| TOTAL CLAIMS | Minus 20 | = | | x \$ 9 | \$ | | x \$ 18 | \$.00 |
| INDEP. CLAIMS | Minus 3 | = | | x \$ 39 | \$ | | x \$ 78 | \$.00 |
| [] FIRST PRESENTATION OF MULTIPLE DEP. CLAIMS | | | | 130 | \$ | | + \$260 | \$.00 |
| | | | | TOTAL: \$ | | | OR TOTAL: \$ | |
| | | | | | | | .00 | |

- * If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☒ Also transmitted herewith are:
- [] Petition for extension under 37 C.F.R. 1.136
- ☒ Other: **Form PTO-1449 with attached references**
- ☐ Check(s) in the amounts of **\$00.00** is attached to cover:
- [] Filing fee for additional claims under 37 C.F.R. 1.16
- [] Petition fee for extension under 37 C.F.R. 1.136
- [] Other:
- ☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

Cary S. Kappel, Esq., Reg. No. 36,561
DAVIDSON, DAVIDSON & KAPPEL, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
(212) 736-1940

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service with sufficient postage as "first class mail" in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on April 12, 2005.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: Guendoline Decosta
Guendoline Decosta



UNITED STATES PATENT & TRADEMARK OFFICE

Re: Application of: Emil CIURCZAK, et al.
Serial No.: 10/766,640
Filed: January 27, 2004
For: **WIRELESS BLOOD GLUCOSE MONITORING
SYSTEM**

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.56**

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 12, 2005

Sir:

In accordance with the provisions of 37 C.F.R. § 1.97, Applicants hereby make of record the documents listed on the accompanying Form PTO-1449 (8 sheets) for consideration by the Examiner in connection with the examination of the above-identified patent application.

Pursuant to 37 C.F.R. § 1.98 (a), the foreign patent documents and non-patent references listed on sheets 1-8 of the attached Form PTO-1449 are enclosed. If it is determined that any of the listed references are not presently enclosed, the Examiner is requested to contact the undersigned so that a copy can be forwarded.

Applicants also respectfully advise the Examiner of the following U.S. Patents which are commonly assigned to the owners of the instant application:

U.S. Application Serial No. 09/636,041, entitled "Automated System and Method For Spectroscopic Analysis", filed August 10, 2000, now U.S. Patent No. 6,549,861, issued April 15, 2003, listed as reference "FA 2" on the attached Form PTO-1449; and

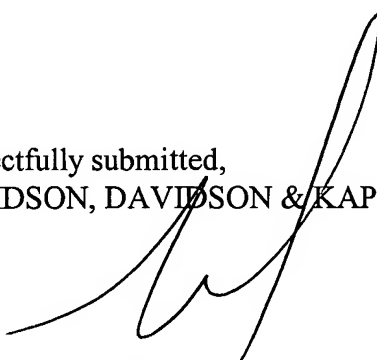
U.S. Application Serial No. 09/932,185, entitled "Near Infrared Blood Glucose Monitoring System", filed August 17, 2001, now U.S. Patent No. 6,675,030, issued January 6, 2004, listed as reference "FB" on the attached Form PTO-1449.

It is respectfully requested that the references cited in the accompanying Form PTO-1449 (8 sheets) be considered and made of record.

This Information Disclosure Statement is filed under 37 C.F.R. § 1.97 (b), before the mailing of a first Office Action on the merits. Accordingly, no fee is believed due. In the event any fee is due in connection with the filing of this Information Disclosure Statement, the Commissioner is hereby authorized to charge said deficiency to our Deposit Account No. 50-0552.

Respectfully submitted,
DAVIDSON, DAVIDSON & KAPPEL, LLC

By



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FORM PTO-1449

(REV. 7-80)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.:
206.1002USSERIAL NO.:
10/766,640

LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)

APPLICANT(S): Emil W. Ciurczak, et al.

FILING DATE:
January 27, 2004

GROUP: 3736

U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | | DOCUMENT NUMBER | | | | | | | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|----------------------|----|-----------------|---|---|---|---|---|---|------------|-------------------|-------|----------|-------------------------------|
| | AA | 4 | 7 | 6 | 6 | 5 | 5 | 1 | 8/23/1988 | Begley | 364 | 498 | |
| | AB | 4 | 9 | 0 | 1 | 7 | 2 | 8 | 2/20/1990 | Hutchison | 128 | 633 | |
| | AC | 4 | 9 | 7 | 5 | 5 | 8 | 1 | 12/4/1990 | Robinson et al. | 250 | 339 | |
| | AD | 5 | 0 | 0 | 9 | 2 | 3 | 0 | 4/23/1991 | Hutchison | 128 | 633 | |
| | AE | 5 | 0 | 2 | 8 | 7 | 8 | 7 | 7/2/1991 | Rosenthal et al. | 250 | 341 | |
| | AF | 5 | 0 | 6 | 8 | 5 | 3 | 6 | 11/26/1991 | Rosenthal | 250 | 341 | |
| | AG | 5 | 0 | 7 | 0 | 8 | 7 | 4 | 12/10/1991 | Barnes et al. | 128 | 633 | |
| | AH | 5 | 0 | 7 | 7 | 4 | 7 | 6 | 12/31/1991 | Rosenthal | 250 | 341 | |
| | AI | 5 | 0 | 8 | 6 | 2 | 2 | 9 | 2/4/1992 | Rosenthal et al. | 250 | 341 | |
| | AJ | 5 | 1 | 1 | 9 | 8 | 1 | 9 | 6/9/1992 | Thomas | 128 | 660.02 | |
| | AK | 5 | 1 | 2 | 1 | 3 | 3 | 8 | 6/9/1992 | Lodder | 364 | 498 | |
| | AL | 5 | 1 | 3 | 7 | 0 | 2 | 3 | 8/11/1992 | Mendelson et al. | 128 | 633 | |
| | AM | 5 | 1 | 3 | 9 | 0 | 2 | 3 | 8/18/1992 | Stanley et al. | 128 | 637 | |
| | AN | 5 | 1 | 4 | 0 | 9 | 8 | 5 | 7/25/1992 | Schroeder et al. | 128 | 632 | |
| | AO | 5 | 2 | 0 | 4 | 5 | 3 | 2 | 4/20/1993 | Rosenthal | 250 | 341 | |
| | AP | 5 | 2 | 0 | 6 | 7 | 0 | 1 | 4/27/1993 | Taylor et al. | 356 | 325 | |
| | AQ | 5 | 2 | 2 | 3 | 7 | 1 | 4 | 6/29/1993 | Maggard | 250 | 343 | |
| | AR | 5 | 2 | 2 | 3 | 7 | 1 | 5 | 6/29/1993 | Taylor | 250 | 343 | |
| | AS | 5 | 2 | 4 | 3 | 5 | 4 | 6 | 9/7/1993 | Maggard | 364 | 571.02 | |
| | AT | 5 | 2 | 4 | 2 | 6 | 0 | 2 | 9/7/1993 | Richardson et al. | 210 | 745 | |
| | AU | 5 | 2 | 5 | 2 | 8 | 2 | 9 | 10/12/1993 | Nygaard et al. | 250 | 339 | |
| | AV | 5 | 2 | 5 | 8 | 8 | 2 | 5 | 11/2/1993 | Reed et al. | 356 | 402 | |
| | AW | 5 | 2 | 6 | 7 | 1 | 5 | 1 | 11/30/1993 | Ham et al. | 364 | 413.09 | |
| | AX | 5 | 2 | 6 | 7 | 1 | 5 | 2 | 11/30/1993 | Yang et al. | 364 | 413.09 | |
| | AY | 5 | 2 | 9 | 9 | 1 | 3 | 8 | 3/29/1994 | Fiori et al. | 364 | 498 | |
| | AZ | 5 | 3 | 0 | 7 | 2 | 6 | 3 | 4/26/1994 | Brown | 364 | 413.09 | |

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| FORM PTO-1449 (REV. 7-80) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | | | ATTY. DOCKET NO.: 206.1002US | | SERIAL NO.: 10/766,640 | | | | | |
|---|----|--|---|---|---|--|---|---------------------------|------------|--------------------|-------|----------|-------------------------------|
| LIST OF PRIOR ART CITED BY APPLICANT (Use several sheets if necessary) | | | | | | APPLICANT(S): Emil W. Ciurczak, et al. | | | | | | | |
| | | | | | | FILING DATE: January 27, 2004 | | GROUP: 3736 | | | | | |
| U.S. PATENT DOCUMENTS | | | | | | | | | | | | | |
| *EXAMINER INITIAL | | DOCUMENT NUMBER | | | | | | | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | BA | 5 | 3 | 1 | 3 | 9 | 4 | 1 | 5/24/1994 | Braig et al. | 128 | 633 | |
| | BB | 5 | 3 | 4 | 3 | 0 | 4 | 4 | 8/30/1994 | Sjaunja et al. | 250 | 339.09 | |
| | BC | 5 | 3 | 4 | 8 | 0 | 0 | 2 | 9/20/1994 | Caro | 128 | 633 | |
| | BD | 5 | 3 | 4 | 8 | 0 | 0 | 3 | 9/20/1994 | Caro | 128 | 633 | |
| | BE | 5 | 3 | 4 | 9 | 1 | 8 | 8 | 9/20/1994 | Maggard | 250 | 339 | |
| | BF | 5 | 3 | 4 | 9 | 1 | 8 | 9 | 9/20/1994 | Maggard | 250 | 339.07 | |
| | BG | 5 | 3 | 6 | 0 | 9 | 7 | 2 | 11/1/1994 | DiFoggio et al. | 250 | 339.12 | |
| | BH | 5 | 3 | 6 | 1 | 7 | 5 | 8 | 11/8/1994 | Hall et al. | 128 | 633 | |
| | BI | 5 | 3 | 6 | 2 | 3 | 0 | 7 | 11/8/1994 | Guy et al. | 604 | 20 | |
| | BJ | 5 | 3 | 7 | 0 | 1 | 1 | 4 | 12/6/1994 | Wong et al. | 128 | 633 | |
| | BK | 5 | 3 | 7 | 9 | 2 | 3 | 8 | 1/3/1995 | Stark | 364 | 578 | |
| | BL | 5 | 3 | 7 | 9 | 7 | 6 | 4 | 1/10/1995 | Barnes et al. | 128 | 633 | |
| | BM | 5 | 3 | 8 | 3 | 4 | 5 | 2 | 1/24/1995 | Buchert | 128 | 633 | |
| | BN | 5 | 4 | 3 | 3 | 1 | 9 | 7 | 7/18/1995 | Stark | 128 | 633 | |
| | BO | 5 | 4 | 3 | 5 | 3 | 0 | 9 | 7/25/1995 | Thomas et al. | 128 | 633 | |
| | BP | 5 | 4 | 4 | 6 | 6 | 8 | 1 | 8/29/1995 | Gethner et al. | 364 | 554 | |
| | BQ | 5 | 4 | 5 | 6 | 2 | 5 | 2 | 10/10/1995 | Vari et al. | 128 | 633 | |
| | BR | 5 | 4 | 5 | 9 | 3 | 1 | 7 | 10/17/1995 | Small et al. | 250 | 341.1 | |
| | BS | 5 | 4 | 5 | 9 | 6 | 7 | 7 | 10/17/1995 | Kowalski et al. | 364 | 571.02 | |
| | BT | 5 | 4 | 8 | 1 | 4 | 7 | 6 | 1/2/1996 | Windig | 364 | 498 | |
| | BU | 5 | 4 | 9 | 8 | 8 | 7 | 5 | 3/12/1996 | Obremski et al. | 250 | 458.1 | |
| | BV | 5 | 5 | 1 | 2 | 7 | 5 | 1 | 4/30/1996 | Murray, Jr. et al. | 250 | 339.09 | |
| | BW | 5 | 5 | 1 | 5 | 8 | 4 | 7 | 5/14/1996 | Braig et al. | 128 | 633 | |
| | BX | 5 | 5 | 5 | 1 | 4 | 2 | 2 | 9/3/1996 | Simonsen et al. | 128 | 633 | |
| | BY | 5 | 5 | 6 | 8 | 4 | 0 | 0 | 10/22/1996 | Stark et al. | 364 | 498 | |
| | BZ | 5 | 5 | 7 | 6 | 5 | 4 | 4 | 11/19/1996 | Rosenthal | 250 | 341.1 | |
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| FORM PTO-1449 (REV. 7-80) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | | | ATTY. DOCKET NO.: 206.1002US | | SERIAL NO.: 10/766,640 | | | | | |
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| U.S. PATENT DOCUMENTS | | | | | | | | | | | | | |
| *EXAMINER INITIAL | | DOCUMENT NUMBER | | | | | | | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | CA | 5 | 5 | 8 | 2 | 1 | 6 | 8 | 12/10/1996 | Samuels et al. | 128 | 633 | |
| | CB | 5 | 6 | 0 | 2 | 7 | 5 | 5 | 2/11/1997 | Ashe et al. | 364 | 498 | |
| | CC | 5 | 6 | 0 | 6 | 1 | 6 | 4 | 2/25/1997 | Price et al. | 250 | 339.09 | |
| | CD | 5 | 6 | 1 | 0 | 8 | 3 | 6 | 3/11/1997 | Alsmeyer et al. | 364 | 498 | |
| | CE | 5 | 6 | 1 | 5 | 6 | 7 | 2 | 4/1/1997 | Braig et al. | 128 | 633 | |
| | CF | 5 | 6 | 3 | 8 | 8 | 1 | 6 | 6/17/1997 | Kiani-Azarbayjany et al. | 128 | 633 | |
| | CG | 5 | 6 | 4 | 1 | 9 | 6 | 2 | 6/24/1997 | Perry et al. | 250 | 339.09 | |
| | CH | 5 | 6 | 5 | 5 | 5 | 3 | 0 | 8/12/1997 | Messerschmidt | 128 | 633 | |
| | CI | 5 | 6 | 5 | 7 | 7 | 5 | 4 | 8/19/1997 | Rosencwaig | 128 | 633 | |
| | CJ | 5 | 6 | 6 | 6 | 9 | 5 | 6 | 9/16/1997 | Buchert | 128 | 664 | |
| | CK | 5 | 6 | 6 | 8 | 3 | 7 | 3 | 9/16/1997 | Robbat, Jr. et al. | 250 | 339.12 | |
| | CL | 5 | 6 | 6 | 8 | 3 | 7 | 4 | 9/16/1997 | DiFoggio et al. | 250 | 339.12 | |
| | CM | 5 | 6 | 7 | 2 | 8 | 7 | 5 | 9/30/1997 | Block et al. | 250 | 343 | |
| | CN | 5 | 6 | 7 | 6 | 1 | 4 | 3 | 10/14/1997 | Simonsen et al. | 128 | 633 | |
| | CO | 5 | 6 | 8 | 0 | 3 | 2 | 0 | 10/21/1997 | Helmer et al. | 364 | 498 | |
| | CP | 5 | 6 | 8 | 0 | 3 | 2 | 1 | 10/21/1997 | Helmer et al. | 364 | 499 | |
| | CQ | 5 | 6 | 9 | 2 | 5 | 0 | 4 | 12/2/1997 | Essenpreis et al. | 128 | 633 | |
| | CR | 5 | 7 | 0 | 6 | 2 | 0 | 8 | 1/6/1998 | Osten et al. | 364 | 497 | |
| | CS | 5 | 7 | 1 | 0 | 6 | 3 | 0 | 1/20/1998 | Essenpreis et al. | 356 | 345 | |
| | CT | 5 | 7 | 1 | 2 | 4 | 8 | 1 | 1/27/1998 | Welch et al. | 250 | 339.12 | |
| | CU | 5 | 7 | 1 | 2 | 7 | 9 | 7 | 1/27/1998 | Descales et al. | 364 | 499 | |
| | CV | 5 | 7 | 3 | 0 | 7 | 1 | 4 | 3/24/1998 | Guy et al. | 604 | 20 | |
| | CW | 5 | 7 | 4 | 0 | 0 | 7 | 3 | 4/14/1998 | Bages et al. | 364 | 499 | |
| | CX | 5 | 7 | 4 | 3 | 2 | 6 | 2 | 4/28/1998 | Lepper, Jr. et al | 128 | 633 | |
| | CY | 5 | 7 | 4 | 7 | 8 | 0 | 6 | 5/5/1998 | Khalil et al. | 250 | 339.12 | |
| | CZ | 5 | 7 | 5 | 0 | 9 | 9 | 4 | 5/12/1998 | Schlager | 250 | 339.11 | |
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| FORM PTO-1449 (REV. 7-80) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | | | ATTY. DOCKET NO.: 206.1002US | | SERIAL NO.: 10/766,640 | | | | | |
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| | | | | | | FILING DATE: January 27, 2004 | | GROUP: 3736 | | | | | |
| U.S. PATENT DOCUMENTS | | | | | | | | | | | | | |
| *EXAMINER INITIAL | | DOCUMENT NUMBER | | | | | | | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | DA | 5 | 7 | 5 | 2 | 5 | 1 | 2 | 5/19/1998 | Gozani | 128 | 635 | |
| | DB | 5 | 7 | 7 | 1 | 8 | 9 | 1 | 7/30/1998 | Gozani | 128 | 635 | |
| | DC | 5 | 7 | 8 | 2 | 7 | 5 | 5 | 7/21/1998 | Chance et al. | 600 | 322 | |
| | DD | 5 | 8 | 4 | 0 | 0 | 2 | 0 | 11/24/1998 | Heinonen et al. | 600 | 365 | |
| | DE | 5 | 7 | 7 | 2 | 5 | 8 | 6 | 06/30/1998 | Heinonen et al. | 600 | 300 | |
| | DF | 5 | 7 | 8 | 8 | 6 | 3 | 2 | 8/4/1998 | Pezzaniti et al. | 600 | 316 | |
| | DG | 5 | 7 | 9 | 8 | 5 | 2 | 6 | 8/25/1998 | Shenk et al. | 250 | 339.09 | |
| | DH | 5 | 8 | 2 | 2 | 2 | 1 | 9 | 10/13/1998 | Chen et al. | 364 | 498 | |
| | DI | 5 | 8 | 2 | 3 | 9 | 5 | 1 | 10/20/1998 | Messerschmidt | 600 | 322 | |
| | DJ | 5 | 8 | 2 | 3 | 9 | 6 | 6 | 10/20/1998 | Buchert | 600 | 473 | |
| | DK | 5 | 8 | 3 | 0 | 1 | 3 | 2 | 11/3/1998 | Robinson | 600 | 310 | |
| | DL | 5 | 8 | 4 | 1 | 5 | 2 | 3 | 11/24/1998 | Degen et al. | 356 | 72 | |
| | DM | 5 | 8 | 5 | 7 | 4 | 6 | 2 | 1/12/1999 | Thomas et al. | 128 | 633 | |
| | DN | 5 | 8 | 9 | 0 | 4 | 8 | 9 | 4/6/1999 | Elden | 128 | 898 | |
| | DO | 5 | 8 | 9 | 6 | 1 | 9 | 8 | 4/20/1999 | Chou et al. | 356 | 349 | |
| | DP | 5 | 9 | 0 | 0 | 6 | 3 | 4 | 5/4/1999 | Soloman | 250 | 339.11 | |
| | DQ | 5 | 9 | 1 | 0 | 1 | 0 | 9 | 6/8/1999 | Peters et al. | 600 | 316 | |
| | DR | 5 | 9 | 3 | 3 | 7 | 9 | 2 | 8/3/1999 | Andersen et al. | 702 | 32 | |
| | DS | 5 | 9 | 3 | 5 | 0 | 6 | 2 | 8/10/1999 | Messerchmidt et al. | 600 | 322 | |
| | DT | 5 | 9 | 4 | 5 | 6 | 7 | 6 | 8/31/1999 | Khalil et al. | 250 | 339.12 | |
| | DU | 5 | 9 | 4 | 6 | 1 | 2 | 8 | 8/31/1999 | Paek | 359 | 305 | |
| | DV | 5 | 9 | 4 | 6 | 6 | 4 | 0 | 8/31/1999 | Goodacre et al. | 702 | 87 | |
| | DW | 5 | 9 | 6 | 8 | 7 | 6 | 0 | 10/19/1999 | Phillips et al. | 435 | 14 | |
| | DX | 5 | 9 | 8 | 5 | 1 | 2 | 0 | 11/16/1999 | Cholli et al. | 204 | 452 | |
| | DY | 6 | 0 | 0 | 6 | 1 | 1 | 9 | 12/21/1999 | Soller et al. | 600 | 322 | |
| | DZ | 6 | 0 | 1 | 2 | 0 | 1 | 9 | 1/4/2000 | Saby | 702 | 32 | |
| EXAMINER | | | | | | | | | | DATE CONSIDERED | | | |
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| (Use several sheets if necessary) | | | | | | | | | | | | | |
| U.S. PATENT DOCUMENTS | | | | | | | | | | | | | |
| *EXAMINER INITIAL | EA | 6 | 0 | 1 | 4 | 5 | 7 | 7 | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | EA | 6 | 0 | 1 | 4 | 5 | 7 | 7 | 1/11/2000 | Henning et al. | 600 | 345 | |
| | EB | 6 | 0 | 2 | 6 | 3 | 1 | 4 | 2/15/2000 | Amerov et al. | 600 | 322 | |
| | EC | 6 | 0 | 4 | 0 | 5 | 7 | 8 | 3/21/2000 | Malin et al. | 250 | 339.12 | |
| | ED | 5 | 8 | 3 | 0 | 1 | 3 | 3 | 11/03/1998 | Osten et al. | 600 | 322 | |
| | EE | 6 | 0 | 4 | 9 | 0 | 8 | 2 | 4/11/2000 | Methfessel | 250 | 339.09 | |
| | EF | 6 | 0 | 6 | 1 | 5 | 8 | 2 | 5/9/2000 | Small et al. | 600 | 316 | |
| | EG | 6 | 0 | 6 | 4 | 0 | 6 | 5 | 5/16/2000 | Block et al. | 250 | 341.3 | |
| | EH | 6 | 0 | 6 | 4 | 8 | 9 | 7 | 5/16/2000 | Lindberg et al. | 600 | 316 | |
| | EI | 6 | 0 | 6 | 6 | 8 | 4 | 7 | 5/23/2000 | Rosenthal | 250 | 252.1 | |
| | EJ | 6 | 0 | 6 | 7 | 4 | 6 | 3 | 5/23/2000 | Jeng et al. | 600 | 336 | |
| | EK | 6 | 0 | 7 | 0 | 1 | 2 | 8 | 5/30/2000 | Descales et al. | 702 | 30 | |
| | EL | 6 | 0 | 8 | 7 | 1 | 8 | 2 | 7/11/2000 | Jeng et al. | 436 | 66 | |
| | EM | 6 | 0 | 8 | 7 | 6 | 6 | 2 | 7/11/2000 | Wilt et al. | 250 | 339.12 | |
| | EN | 6 | 0 | 9 | 1 | 8 | 4 | 3 | 7/18/2000 | Horesh et al. | 382 | 133 | |
| | EO | 6 | 1 | 1 | 0 | 5 | 2 | 2 | 8/29/2000 | Lepper, Jr. et al | 427 | 2.11 | |
| | EP | 6 | 1 | 1 | 4 | 6 | 9 | 9 | 9/5/2000 | Barton et al. | 250 | 339.09 | |
| | EQ | 6 | 1 | 1 | 5 | 6 | 7 | 3 | 9/5/2000 | Malin et al. | 702 | 23 | |
| | ER | 6 | 1 | 2 | 4 | 1 | 3 | 4 | 9/26/2000 | Stark | 436 | 63 | |
| | ES | 6 | 1 | 3 | 7 | 1 | 0 | 8 | 10/24/2000 | DeThomas et al. | 250 | 339.07 | |
| | ET | 6 | 1 | 5 | 1 | 5 | 1 | 7 | 11/21/2000 | Honigs et al. | 600 | 322 | |
| | EU | 6 | 1 | 5 | 7 | 0 | 4 | 1 | 12/5/2000 | Thomas et al. | 250 | 573 | |
| | EV | 6 | 1 | 5 | 9 | 2 | 5 | 5 | 12/12/2000 | Perkins | 44 | 300 | |
| | EW | 6 | 1 | 6 | 1 | 0 | 2 | 8 | 12/12/2000 | Braig et al. | 600 | 316 | |
| | EX | 6 | 1 | 8 | 1 | 9 | 5 | 7 | 1/30/2001 | Lambert et al. | 600 | 319 | |
| | EY | 6 | 2 | 1 | 9 | 5 | 6 | 5 | 4/17/2001 | Cupp et al. | 600 | 310 | |
| | EZ | 6 | 2 | 3 | 6 | 0 | 4 | 7 | 5/22/2001 | Malin et al. | 250 | 339.12 | |
| | FA 1 | 6 | 3 | 0 | 9 | 8 | 8 | 4 | 10/30/2001 | Cooper et al. | 436 | 14 | |
| | FA 2 | 6 | 5 | 4 | 9 | 8 | 6 | 1 | 04/15/03 | Mark et al. | 702 | 076 | |
| | FB | 6 | 6 | 7 | 5 | 0 | 3 | 0 | 01/06/2004 | Ciurczak et al. | 600 | 316 | |
| EXAMINER | | | | | | | | | | DATE CONSIDERED | | | |
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FORM PTO-1449
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.:
206.1002USSERIAL NO.:
10/766,640**LIST OF PRIOR ART CITED BY APPLICANT**

(Use several sheets if necessary)

APPLICANT(S): Emil W. Ciurczak, et al.

FILING DATE:
January 27, 2004

GROUP: 3736

FOREIGN PATENT DOCUMENTS

| *EXAMINER INITIAL | | DOCUMENT NUMBER | | | | | | | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION |
|----------------------|----|-----------------|---|---|---|---|---|---|------------|---------|-------|----------|-------------|
| | FC | 0 | 1 | 6 | 0 | 7 | 6 | 8 | 11/13/1985 | EPO | A 61 | B 5/00 | |
| | FD | 0 | 2 | 3 | 6 | 0 | 2 | 3 | 9/9/1987 | EPO | G01N | 33/66 | |
| | FE | 0 | 3 | 8 | 2 | 9 | 0 | 8 | 8/22/1990 | EPO | G01 N | 21/35 | |
| | FF | 0 | 4 | 6 | 1 | 2 | 0 | 7 | 2/14/1996 | EPO | A61B | 5/00 | |
| | FG | 0 | 5 | 7 | 7 | 6 | 8 | 4 | 5/14/1997 | EPO | G01N | 21/31 | |
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| | FJ | 9 | 5 | 0 | 5 | 5 | 9 | 9 | 2/23/1995 | WO | G01N | 33/50 | |
| | FK | 9 | 7 | 0 | 2 | 7 | 8 | 1 | 1/30/1997 | WO | A61B | 5/00 | |
| | FL | 9 | 7 | 2 | 5 | 9 | 1 | 5 | 7/24/1997 | WO | A61B | 5/00 | |
| | FM | 9 | 7 | 3 | 0 | 6 | 2 | 9 | 8/28/1997 | WO | A61B | 5/00 | |
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| LIST OF PRIOR ART CITED BY APPLICANT (Use several sheets if necessary) | | | | APPLICANT(S): Emil W. Ciurczak, et al. | |
| | | | | FILING DATE: January 27, 2004 | GROUP: 3736 |
| OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | |
| | GA | Honigs, D.E., Hieftje, G.M., Mark, H.L., Hirschfeld, T.B.; "Unique-Sample Selection via Near-Infrared Spectral Subtraction," <i>Analytical Chemistry</i> , Vol. 57, No. 12, pp. 2299-2303 (October 1985) | | | |
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| | GF | Arnold, M.A., "Motivation for Developing Optical Sensors for Blood Electrolyte Measurement"; <i>Clinical Chemistry</i> , Vol. 37, No. 8, pp. 1319 - 1320 (1991) | | | |
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| | GK | Takada, M., et al., "Non-Invasive Near-Infrared Measurements of Human Arm Tissue <i>In Vivo</i> ," <i>R&D Engineering-Spectrophotometric Instrument, Analytical Instrument Division, Shimadzu Corporation, Nakagyo-ku, Kyoto 604, and *Biophysics Division, Research Institute of Applied Electricity, Hokkaido University, Sapporo 060, Japan.</i> , pp. 301-304 | | | |
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| | GP | Arnold, Mark A., "Non-invasive Glucose Monitoring", <i>Current Opinion in Biotechnology</i> , 1996, 7:46-49 | | | |
| | GQ | Eggert, Hans R., et al., "Optical Properties of Human Brain Tissue, Meninges, and Brain Tumors in the Spectral Range of 200 to 900 nm", <i>Neurosurgery</i> , Vol. 21, No. 4, pp. 459-464 (1987). | | | |

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| | GV | Ciurczak, E.W., et al., "Chapter II.B.2 Identification of Actives in Multicomponent Pharmaceutical Dosage Forms Using Near-Infrared Reflectance Analysis;" <i>Molecular Spectroscopy Workbench</i> , pp. 89-109, John Wiley & Sons, Inc. (1998). | | | |
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| | GY | Ciurczak, E.W., et al., "Chapter III.1 Purgamenta Inuit, Purgamenta Exiunt;" <i>Molecular Spectroscopy Workbench</i> , pp. 315-317, John Wiley & Sons, Inc. (1998). | | | |
| | GZ | Burns, D.A., et al., "Chapter 4 Commercial NIR Instrumentation," <i>Handbook of Near-Infrared Analysis</i> , pp. 37 - 51, Marcel Dekker, Inc. (1992). | | | |
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| | HB | Burns, D.A., et al., "Chapter 6 Data Analysis: Multilinear Regression and Principal Component Analysis," <i>Handbook of Near-Infrared Analysis</i> , pp. 107-158, Marcel Dekker, Inc. (1992). | | | |
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| | HD | Burns, D.A., et al., "Chapter 10 NIR Spectroscopy Calibration Basics," <i>Handbook of Near-Infrared Analysis</i> , pp. 247 - 280, Marcel Dekker, Inc. (1992). | | | |
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| | HG | | | | |
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